

Atty. Docket No. YOR920000390US1
(590.023)

REMARKS

In the Office Action dated September 1, 2006, pending Claims 1-19 were rejected and the rejection made final. Of these claims, Claims 1, 8, and 15 are independent claims; the remaining claims are dependent claims. The Examiner is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

Rejection of Claims 1, 7, 8, 14 and 15 under 35 U.S.C. § 102(b) based upon Woodland:

Claims 1, 7, 8, 14 and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Woodland et al., Iterative Unsupervised Adaptation Using Maximum Likelihood Linear Regression (hereinafter "Woodland"). Applicants respectfully submit that a claim is anticipated under § 102 only if each and every element as set forth in the claim is found, either expressly or inherently, in a single prior art reference (MPEP § 2131). Applicants respectfully submit that the disclosure in Woodland is not sufficient to anticipate independent claims 1, 8 and 15 under § 102. Thus, reconsideration and withdrawal of this rejection is respectfully requested.

Independent claims 1 and 15, as previously amended, recite the method step of "generating a word lattice having a plurality of paths based on the speaker data, wherein the step of generating the word lattice comprises considering language model probabilities by incorporating the language model probabilities into a transition probability." Likewise, independent claim 8 has also been amended to recite substantially similar language.

Applicants respectfully submit that Woodland does not disclose the above-mentioned claimed subject matter. Woodland does not disclose or suggest generating a word lattice that takes language model probabilities into account by incorporating them into a transition

Atty. Docket No. YOR920000390US1
(590.023)

probability. As best presently understood, Woodland, appears to teach the generation of a word lattice by calculating language model and acoustic model scores (p. 1135, left column, ¶ 2). The outstanding Office Action asserts that Woodland does indeed address this issue through the utilization of arcs in the lattice. However, it is respectfully asserted that the information contained in these arcs is not equivalent to a transition probability. Rather, "[T]he lattices generated by the HTK system contain a set of nodes that correspond to particular time instants and arcs connecting these nodes that represent word hypotheses for the time period between two nodes. Associated with each arc are both language model and acoustic model scores." (Page 1134, left column, 2nd paragraph). There is no mention of any type of probabilities in these arcs, let alone transition probabilities as in the instant invention. Language model and acoustic model scores not equivalent to a transition probability, and there is no mention or suggestion in Woodland of utilizing that information in statistical calculations to create any kind of probability. Because this transition probability is not anticipated, the incorporation of information into this probability is clearly not anticipated. Thus, it is respectfully submitted that Woodland does not disclose or teach taking language model probabilities into account by incorporating them into a transition probability.

To a further extent, even if Woodland were somehow considered as taking language model probabilities into account, Woodland would still fail to disclose the claimed subject matter since such consideration would be with regards to generating language model scores and not a transition probability. Claims 1, 8 and 15 are allowable over Woodland for at least the foregoing reasons. Applicants respectfully request that the Examiner withdraw the rejections of claims 1, 8 and 15 for being anticipated by Woodland under 35 U.S.C. § 102(b).

Atty. Docket No. YOR920000390US1
(590.023)

Claims 7 and 14 are both dependent claims depending from the independent claims previously discussed and as such are allowable over Woodland for at least the same reasons as the previously discussed independent claims. Applicants respectfully request that the Examiner withdraw the rejections of claims 7 and 14 for being anticipated by Woodland under § 102(b).

**Rejection of Claims 2-6 and 9-13 under 35 U.S.C. § 103(a)
over Woodland in view of Nguyen ('462):**

Claims 2-6 and 9-13 stand rejected as being unpatentable over Woodland over U.S. Patent 6,272,462 to Nguyen et. al. (hereinafter Nguyen ('462)) under 35 U.S.C. § 103(a).

With regards to this rejection, claims 2-6 and 9-13 are dependent upon independent claims 1 and 8. Applicant respectfully submits that claims 1 and 8 are allowable over Woodland as established above. Claims 2-6 and 9-13 are also allowable, then, for at least the same reasons as claims 1 and 8. Applicant respectfully requests that the Examiner withdraw the rejection of claims 2-6 and 9-13 as being unpatentable over Woodland in view of Nguyen ('462) under 35 U.S.C. § 103(a).

With regards to any possible rejection of independent claims 1, 8 and 15 under § 103(a) based upon a combination of Woodland and Nguyen ('462), Applicant respectfully submits that in order to establish a *prima facie* case of obviousness three criteria must be met. First, there must be some suggestion or motivation to modify a reference or combine reference teachings, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. Second, the modification or combination must have some reasonable expectation of success. Third, the prior reference or combined references must teach or suggest all the claim limitations. MPEP § 2143. The teachings of a prior art reference must be considered as a

Atty. Docket No. YOR920000390US1
(590.023)

whole including those portions that would lead away from the claimed invention. MPEP § 2141.02(VI).

As previously discussed, Woodland fails to teach the claimed subject matter. Nguyen ('462) does not teach taking language model probabilities into consideration by incorporating them into a transition probability. As such, the teachings of Nguyen ('462) are insufficient then to overcome the deficiencies in the teachings of Woodland with regards to the claimed subject matter. Applicant respectfully submits, then, that any rejection under 35 U.S.C. § 103(a) combining the teachings of Woodland and Nguyen ('462) would be improper.

Allowable Subject Matter:

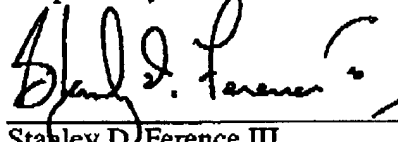
Applicants gratefully acknowledge the Examiner's indication that claims 16-19 contain allowable subject matter and would be allowable if rewritten in independent form. Applicants reserve the right to file a new claim of such scope at a later date that would still, at that point, presumably be allowable.

In view of the foregoing, it is respectfully submitted that Claims 1, 8 and 15 fully distinguish over the applied art and are thus in condition for allowance. It is also respectfully submitted that dependent claims 2-7, 9-14 and 16-19 are also in condition for allowance.

Atty. Docket No. YOR920000390US1
(590.023)

In summary, claims 1-19 are fully distinguishable over the applied art and immediately allowable. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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